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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/672,523	09/27/2000	Kuriacose Joseph	2050.001US3	2175
44367	7590	04/12/2013		
SCHWEGMAN, LUNDBERG & WOESSNER/OPEN TV			EXAMINER	
P.O. BOX 2938			GARG, YOGESH C	
MINNEAPOLIS, MN 55402-0938				
			ART UNIT	PAPER NUMBER
			3625	
			NOTIFICATION DATE	DELIVERY MODE
			04/12/2013	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

uspto@slwip.com  
SLW@blackhillsip.com

**Examiner-Initiated Interview Summary****Application No.**

09/672,523

**Applicant(s)**

JOSEPH ET AL.

**Examiner**

YOGESH C. GARG

**Art Unit**

3625

All participants (applicant, applicant's representative, PTO personnel):

(1) YOGESH C. GARG.

(3) \_\_\_\_\_.

(2) ELENA DRESZER.

(4) \_\_\_\_\_.

Date of Interview: 05 April 2013.

Type: ☒ Telephonic ☐ Video Conference  
☐ Personal [copy given to: ☐ applicant ☐ applicant's representative]

Exhibit shown or demonstration conducted: ☐ Yes ☐ No.

If Yes, brief description: \_\_\_\_\_.

Issues Discussed ☐ 101 ☐ 112 ☐ 102 ☐ 103 ☐ Others

(For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: \_\_\_\_\_.

Identification of prior art discussed: \_\_\_\_\_.

**Substance of Interview**

(For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

In response to receipt of Substitute Reissue Declaration and Amendment to Specification filed 3/28/2013 Examiner called the Applicant's representative Ms. Dreszer to point out the following deficiencies:

(i) Amendment to Specification not filed as per 37CFR 1.173(b)(1) and 1.173 (d).

(ii) Language in Substitute Reissue Declaration not as per earlier Interview held on 12/5/2012. In order to satisfy Rule 37 CFR 1.175(a) Examiner pointed out that the reissue declaration must state that "All errors being corrected in the reissue application up to the time of filing of the oath or declaration under this paragraph arose without any deceptive intention on the part of the applicant" (emphasis added).

Ms. Dreszer agreed to file a supplemental amendment to correct the Specification but regarding Substitute Reissue Declaration pointed out "It is respectfully noted that 37 C.F.R. 1.175 does not prescribe any specific exact language. The reference to all errors arose, occurred and were discovered without any deceptive intention on applicant's part, together with the dated signatures of the inventors, satisfy the requirement of 37 C.F.R. 1.175.

The phrase "up to the filing of the oath/declaration" is not necessary to satisfy the requirement of 37 C.F.R. 1.175. (In MPEP 1414 (III), it is stated that the phrase "up to the filing of the oath/declaration" is to be ignored in cases where any errors are corrected by a filing made after the execution of the reissue declaration.) "

Examiner agreed to revert to Ms. Dreszer in about a week's time after discussing the subject matter with SPE.

**Applicant recordation instructions:** It is not necessary for applicant to provide a separate record of the substance of interview.

**Examiner recordation instructions:** Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

☐ Attachment

/YOGESH C GARG/ Primary Examiner, Art Unit 3625	
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